

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAVIER CASTILLO MARADIAGA,
Plaintiff,

-v.-

THOMAS DECKER, *in his official capacity
as District Director of New York,
Immigration and Customs Enforcement, et
al.*,

Defendants.

21 Civ. 842 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On March 4, 2021, the Court issued an oral decision granting Petitioner's Motion for a Preliminary Injunction and for release pursuant to *Mapp v. Reno*, 241 F.3d 221, 230 (2d Cir. 2001). (See Minute Entry for March 4, 2021). On March 8, 2021, the Government filed a letter requesting clarification of the scope of the relief granted in the March 4, 2021 decision. (Dkt. #25). The Court clarifies that the relief granted is limited to the relief sought by Petitioner in his Motion for a Preliminary Injunction: (i) a stay of removal pending ultimate adjudication of Petitioner's habeas petition; and (ii) release from custody during the pendency of the habeas action pursuant to *Mapp*.

The Court is also in receipt of the parties' joint letter filed March 8, 2021, proposing that Petitioner be released during the pendency of the habeas action subject to an Order of Supervision administered by Immigration and Customs Enforcement. (Dkt. #24). The Court approves the terms of release as set forth in the proposed Order of Supervision.

The Court's March 4, 2021 ruling remains stayed through March 10, 2021, to permit the Government to pursue an appeal with the Second Circuit if it so desires.

SO ORDERED.

Dated: March 9, 2021
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

KATHERINE POLK FAILLA
United States District Judge